

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

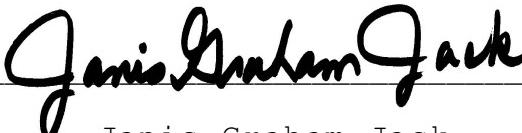
MARY ELLEN GREENLEE,
Plaintiff,
v.
CHRISTUS SPOHN HEALTH SYSTEM
CORPORATION d/b/a CHRISTUS SPOHN
HOSPITAL SOUTH, and LESLIE GEMBOL,
INDIVIDUALLY,
Defendants.

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§ Civil Action
§ No. C-06-123
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ORDER

On this day the Court held a hearing on Defendants Christus Spohn Health System Corporation and Leslie Gembol's (together, "Defendants") motion to exclude Plaintiff's expert witness Laura Lopez (D.E. 44). After considering the arguments of the parties, applicable law, and the record in this case, this Court determines that Ms. Lopez' expert testimony is probative as to the Defendants' affirmative defense that Plaintiff failed to mitigate her damages. Accordingly, the Court hereby DENIES Defendants' motion to exclude Ms. Lopez' expert testimony.

SIGNED and ENTERED this 30th day of January, 2007.



Janis Graham Jack
United States District Judge